IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.3066 OF 2005

IN

FIRST APPEAL STAMP NO.15463 OF 2005

Capt.Mohan M. Deshmukh & Anr. : Appellants.

versus

Sangli Bank Ltd. : Respondent.

WITH

CIVIL APPLICATION NO.2306 OF 2005

IN

FIRST APPEAL STAMP NO.24666 OF 2004

Sangli Bank Ltd. : Applicant

versus

Capt.Mohan M. Deshmukh & Anr. : Respondents

Mr.S.B.Deshmukh for the appellants.

Mr.Ashish Kumar i/by M/s.V.Deshpande & Co. for the respondent/bank.

CORAM : D.G.DESHPANDE,J.

DATED : 14th October 2005.

ORAL ORDER

1. The first civil application is filed by the original defendants/judgment debtors for condonation of delay of 576 days. There are two appellants and, as per the explanation given, appellant No.1 was suffering from Chorime Asthma and migraine and, appellant No.2 was suffering from Hypertension and obesity. This, according to the counsel for the Respondent/Bank, was not the sufficient cause and, in any case, according to him, the delay should not be condoned unless the Bank is compensated by costs.

2. The 2nd civil application is filed by the bank in their appeal for condonation of delay of 71 days. So far as this civil application of the bank is concerned, it is also opposed by the original defendants/judgment debtors.

3. Since both the civil applications are for condonation of delay and both are opposed by respective opponents, both the civil applications are allowed without any costs. Delay in both the matters is condoned. Put up the appeals for admission on 23.11.2005.

[D.G.DESHPANDE]